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GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF TECHNOLOGY, MANAGEMENT & BUDGET  
LANSING

DAVID B. BEHEN  
DIRECTOR

June 29, 2015

Public Safety and Homeland Security Bureau  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

To Whom It May Concern:

**WAIVER—EXPEDITED ACTION REQUESTED**

Re: Revised request for waiver of rule section 90.179 for the Michigan Public Safety Communications System

The Michigan Department of Technology Management and Budget (DTMB) represents Michigan's Public Safety Communications System (MPSCS) in matters relating to FCC licenses, antenna structure registrations, etc.

The MPSCS is Michigan's statewide 800 MHz digital trunking system providing communications for Michigan's state agencies, the Michigan State Police, and over 1450 other county, city, township, and tribal public safety agencies totaling approximately 68,000 radio users. The MPSCS system utilizes 244 tower sites and represents a significant investment by the citizens of Michigan. Michigan prides itself on having built one of the nation's largest statewide public safety communications systems, and providing infrastructure for fully interoperable communications throughout the entire State of Michigan.

DTMB previously requested a waiver of FCC rule 90.179(a) which states:

(a) Persons may share a radio station only on frequencies for which they would be eligible for a separate authorization.

This is a revised request that clarifies the utility's contributions to the system, restriction of the utility's use of 700 MHz spectrum, and removal of Presque Isle Electric & Gas Co-op from the request. Please consider this a replacement of the original request that was filed on March 16, 2015 with Proceeding Number: INBOX-1.3.

The MPSCS uses frequencies, primarily in the 800 MHz NPSPAC band, which are allocated for public safety use. If granted, this waiver will allow non-profit Critical Infrastructure provider, Cherryland Electric Cooperative (CEC) which is not eligible to use public safety frequencies, use of the 800 MHz public safety frequencies licensed to

the MPSCS on a general basis. This non-profit member owned cooperative provides utility service exclusively to Michigan's citizens in six (6) counties in Michigan's northern Lower Peninsula.

With grant of this waiver, CEC will have access to and use the MPSCS system for exchange of critical information with government agencies. They would have access to selected emergency and proprietary talkgroups on the trunking system. They would also have access to the 800 MHz analog mutual aid channels. The interoperability provided by this waiver would provide dedicated communication paths between local and regional emergency management offices and public utilities that are today limited to retail grade commercial phone services. These services have proven to be challenged during times of local emergency conditions and during regular first responder efforts for structure fires and other mandatory joint response emergencies.

DTMB monitors the radio system network capacity very closely. If necessary, DTMB will adjust affected site's channel capacity to insure an adequate grade of service for public safety users. Part of CEC's commitment to the MPSCS is to fund the addition of infrastructure (additional base stations) at two (2) MPSCS sites in areas where over 90% of their radio system traffic will impact system resource availability. These base stations will be licensed using frequencies from the 800 MHz Business and Industrial Land Transportation (B/ILT) Pool. Thus public safety agencies in those areas will have enhanced access to the system without having to exclusively use dedicated NPSPAC public safety frequencies or provide additional funding. CEC has also agreed to share infrastructure, such as tower space, on an as needed basis.

CEC will have a total of about 30 radios but they anticipate that only 20 total would be active at any given time. CEC has indicated that their radio use occurs essentially during daylight working hours as their crews perform maintenance of their system and that the bulk of their use consists of brief communications for dispatch assignments and transmission line switching.

It is important to note that the MPSCS has a 24/7/365 Network Communication Center (NCC) which constantly monitors the performance of the network. NCC personnel using the network management system can assign lower priority to CEC radios, restrict their access to only certain sites of the network, or shut down their access to the network entirely should it become evident that their use of the network is negatively impacting public safety agencies access. Michigan does not anticipate a network congestion problem but is able to quickly address any issues that could arise.

MPSCS currently utilizes both 800 MHz and 700 MHz narrowband voice frequencies although the great majority of the system is 800 MHz. Through system and radio configuration, CEC will be restricted from using 700 MHz frequencies on the MPSCS. Therefore we are not requesting a waiver for any rules regarding 700 MHz spectrum.

The Northeast Power Blackout of 2003 affected much of the Northeastern U.S., the Midwest, and Ontario Canada and highlighted the vulnerability of the nation's electrical power grid. Disruption of the electrical power grid due to weather, flooding, earthquake,

system problems, or terrorist activity is a very real possibility. During such interruptions, normal communications channels may also be severely disrupted. The MPSCS has been designed with integral long outage duration backup power capability and proved itself by continuing to fully function throughout the extensive blackout. DTMB firmly believes that allowing CEC to utilize the MPSCS enhances the rapid and orderly restoration of critical services to the citizens of Michigan, without costly and unnecessary duplication of communication infrastructure.

CEC as part of the Michigan Electric Cooperative Association and in partnership with the Michigan Municipal Electric Association provide mutual aid assistance to other utilities across the state of Michigan in emergency outage situations. The state wide coverage of the MPSCS system would be invaluable to both the utilities and the public safety services to be able to maintain communications between utility organizations and public safety agencies across the state.

The MPSCS is eager to engage in this membership to help resolve the current interoperability and emergency communications challenges and are requesting expedited processing of this waiver request so that the mutual benefits can be realized as soon as possible. DTMB believes it is vital to the public interest to facilitate emergency communications between this Critical Infrastructure provider and Michigan's government, emergency management, and public safety agencies. DTMB specifically requests that Cherryland Electric Cooperative be allowed to use the MPSCS licensed channels for general business use, communications with Michigan government, state and local emergency management, and public safety agencies.

Sincerely,



Bradley A. Stoddard, Director  
Michigan's Public Safety Communications System